

MEMORANDUM OF AGREEMENT
BETWEEN THE
STATE WATER RESOURCES CONTROL BOARD
AND THE
DEPARTMENT OF CONSERVATION
DIVISION OF OIL AND GAS

Purpose

The purpose of this Memorandum of Agreement (MOA) is to outline the procedures for reporting proposed oil, gas, and geothermal field discharges and for prescribing permit requirements. These procedures are intended to provide a coordinated approach resulting in a single permit satisfying the statutory obligations of both parties to this MOA. These procedures will ensure that construction or operation of oil, gas, and geothermal injection wells and surface disposal of waste water from oil and gas and geothermal production does not cause degradation of waters of the State of California.

General

Responsibilities of the Agencies

The Department of Conservation, Division of Oil and Gas (CDOG) has the statutory responsibility to prevent, as far as possible, damage to underground and surface waters suitable for irrigation or domestic purposes resulting from the drilling, operation, maintenance, or abandonment of oil, gas, and geothermal wells (Public Resources Code Sections 3106 and 3714). CDOG has an application to EPA which when approved will give CDOG additional authority and responsibility in the administration of wells in the Class II portion (injection of fluids related to oil and gas production) of the underground injection control program in California. That application was submitted in accordance with Section 1425(a) of the Safe Drinking Water Act.

The State Water Resources Control Board (SWRCB) and the nine California Regional Water Quality Control Boards (collectively SWRCB) have statutory responsibility to protect the waters of the State and to preserve all present and anticipated beneficial uses of those waters (Water Code, Division 7, Chapters 1 through 7).

Scope of Agreement

The following procedures have been formulated and adopted by the CDOG and SWRCB to (1) simplify reporting of proposed waste discharges by the oil, gas, and geothermal operators, (2) achieve coordination of activity, and (3) eliminate duplication of effort among the State agencies. As far as these agencies are concerned, the method of reporting proposed oil, gas, and geothermal underground injection and surface discharges will be uniform throughout the State. The attached maps show district and regional boundaries and office addresses

The following procedures will not generally be applicable to injection wells or surface disposal methods used by operators to dispose of wastes other than produced water. Those discharges (e.g., scrubber wastes and refinery wastes) must be issued waste discharge requirements or waivers through the appropriate Regional Water Quality Control Board (Water Code, Division 7, Chapter 4). Such discharges will not be subject to regulation by CDOG unless the subject disposal well is within the administrative limits of an oil, gas, or geothermal field. In such case, the CDOG must also issue a permit for the well construction (Public Resources Code Sections 3008 and 3203). The conditions of this permit should be in agreement with the waste discharge requirements for this well.

The CDOG will notify the Regional Boards of all new operators *of new injection projects* in the State. The CDOG personnel shall report all pollution problems, including spills to the ground surface or surface streams, to the appropriate Regional Board.

Procedures

Underground Injection:

1. Application: Oil, gas, or geothermal operators must file an application for all proposed injection projects with the appropriate CDOG District office. The District office will forward a copy of the application to the appropriate Regional Board for its review and comment. If the Regional Board wishes to comment prior to the issuance of a draft permit for review, comments shall be received by CDOG within 14 days.
2. Review and Consultation: During the review of the application, the CDOG, the Regional Board and the State Board shall consult with one another and local agencies as necessary and may require the applicant to submit additional data as necessary to demonstrate that the proposed injection will not cause a water quality problem.
3. Permit Preparation and Issuance:
 - a. CDOG will prepare a draft permit, including monitoring requirements, for the injection in accordance with statutory obligations, furnishing a copy of the draft document to the appropriate Regional Board.
 - b. The Regional Board will have the opportunity to comment on the draft requirements during the public review period established pursuant to the Memorandum of Understanding (MOU) between the CDOG and the Environmental Protection Agency (EPA).

*from the date the
draft was sent to the
Regional Board*

- c. The Regional Board shall determine whether or not the draft requirements provide protection to ground and surface waters having present or anticipated beneficial uses. If the draft requirements are not adequate, the Regional Board shall, within 30 days, propose conditions to CDOG which would provide protection. CDOG will not issue final requirements until Regional Board concerns have been satisfied.

If no response is received from the Regional Board by the end of the public comment period, the requirements will be presumed to be acceptable to the Regional Board.

CDOG will furnish a copy of the final requirements to the Regional Board.

Surface Discharge:

1. Application: The oil, gas, or geothermal operator shall file a Report of Waste Discharge with the appropriate Regional Board. No report need be filed when such a requirement is waived by the Regional Board pursuant to Water Code Section 13269.

When a Report of Waste Discharge is not adequate in the judgment of the Regional Board, the Board may require the applicant to supply additional information as it deems necessary. If a surface disposal site is within the administrative limits of an oil, gas, or geothermal field, the Regional Board shall send a copy of the Report of Waste Discharge to the CDOG for review and comment when the report is complete. If CDOG wishes to comment, the Regional Board should receive comments within 14 days to ensure consideration of these comments during the drafting of waste discharge requirements.

2. Preparation and Adoption of Waste Discharge Requirements:

- a. The Regional Board will prepare draft waste discharge requirements for the disposal of production waters by surface discharge. If a surface disposal site is within the administrative limits of an oil, gas, or geothermal field, a copy of the draft document shall be furnished to the appropriate CDOG District office.
- b. The CDOG shall determine whether or not the draft requirements fulfill CDOG's statutory obligations related to water quality. If the draft requirements are not adequate, the CDOG shall, within 30 days, propose conditions to the Regional Board which would meet these statutory obligations. The Regional Board will not issue final requirements until CDOG concerns have been satisfied.

If no response is received from CDOG by the end of the public comment period, the requirements will be presumed to be acceptable to CDOG. The Regional Board will furnish a copy of the final requirements to CDOG.


Enforcement Coordination

After construction, CDOG will notify the appropriate Regional Board of any pollution problems noticed during its inspection activities. The Regional Boards will notify CDOG of any suspected violations of CDOG requirements uncovered during the Regional Boards' inspection activities.

If a determination is made by CDOG or by the Regional Board or the SWRCB that an injection or surface disposal operation is violating the terms of its permit or is causing an unacceptable water quality problem, the permitting agency shall take any necessary actions to assure that compliance is achieved or that the practice causing water pollution is abated forthwith. If necessary, the permitting agency shall order work to be done and/or order operation to be halted. Enforcement actions involving both statutory authorities should be coordinated among the parties involved in this MOA but neither agency is precluded from taking independent enforcement action.

Modification of this Agreement

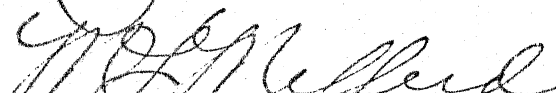
This agreement will be effective upon signature by the designated parties. The agreement may be modified upon the initiative of either party for the purpose of ensuring consistency with State or Federal statutes or regulations, or for any other purpose mutually agreed upon. Any such modifications must be in writing and must be signed by the Director of the Department of Conservation, the State Oil and Gas Supervisor, and the Chairwoman of the SWRCB.



State Department of Conservation

8-20-82

Date



State Oil and Gas Supervisor

8-20-1982

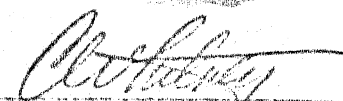
Date



Chairwoman, State Water Resources Control Board

8-24-82

Date



Executive Director, State Water Resources
Control Board

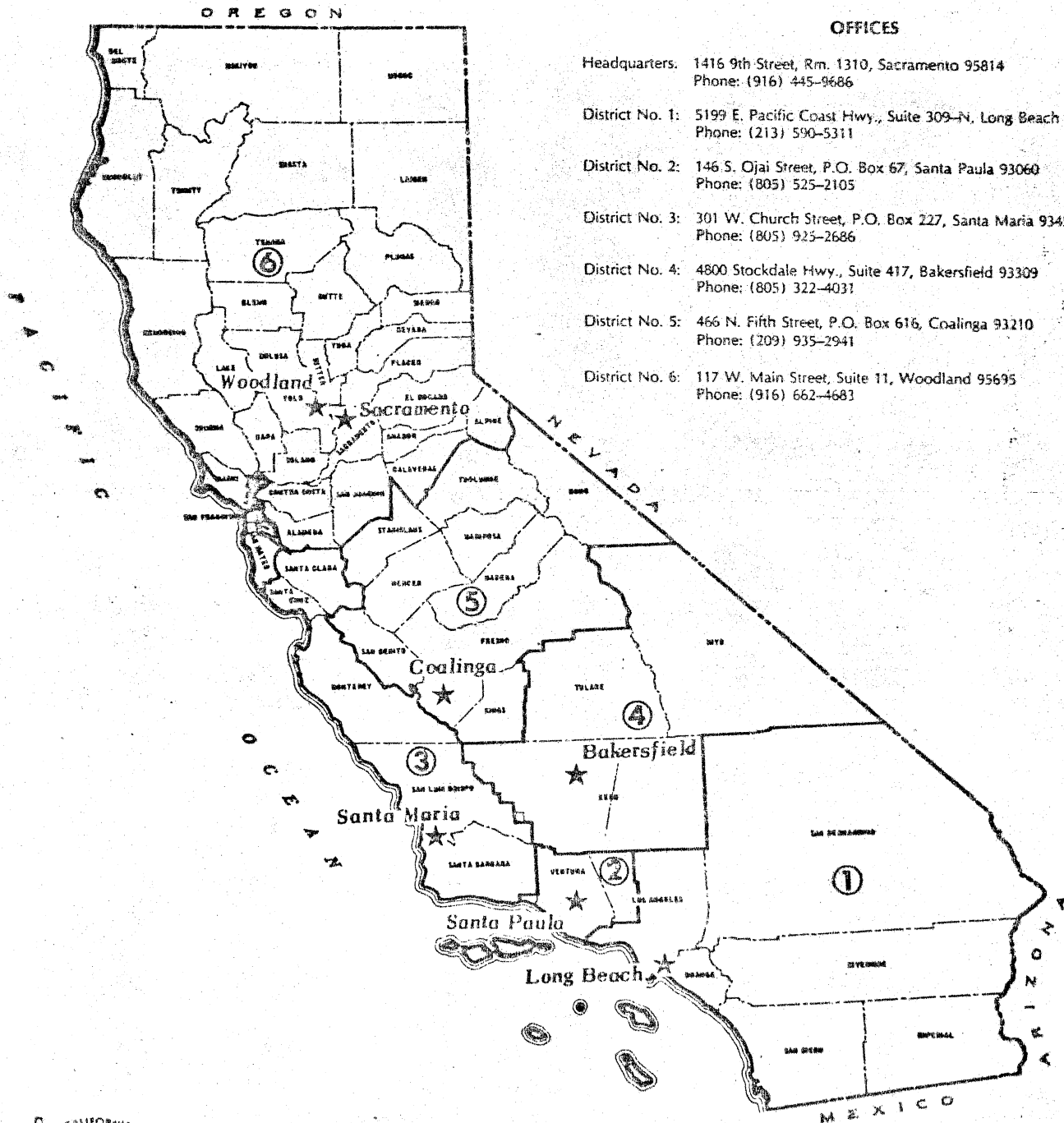
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Date

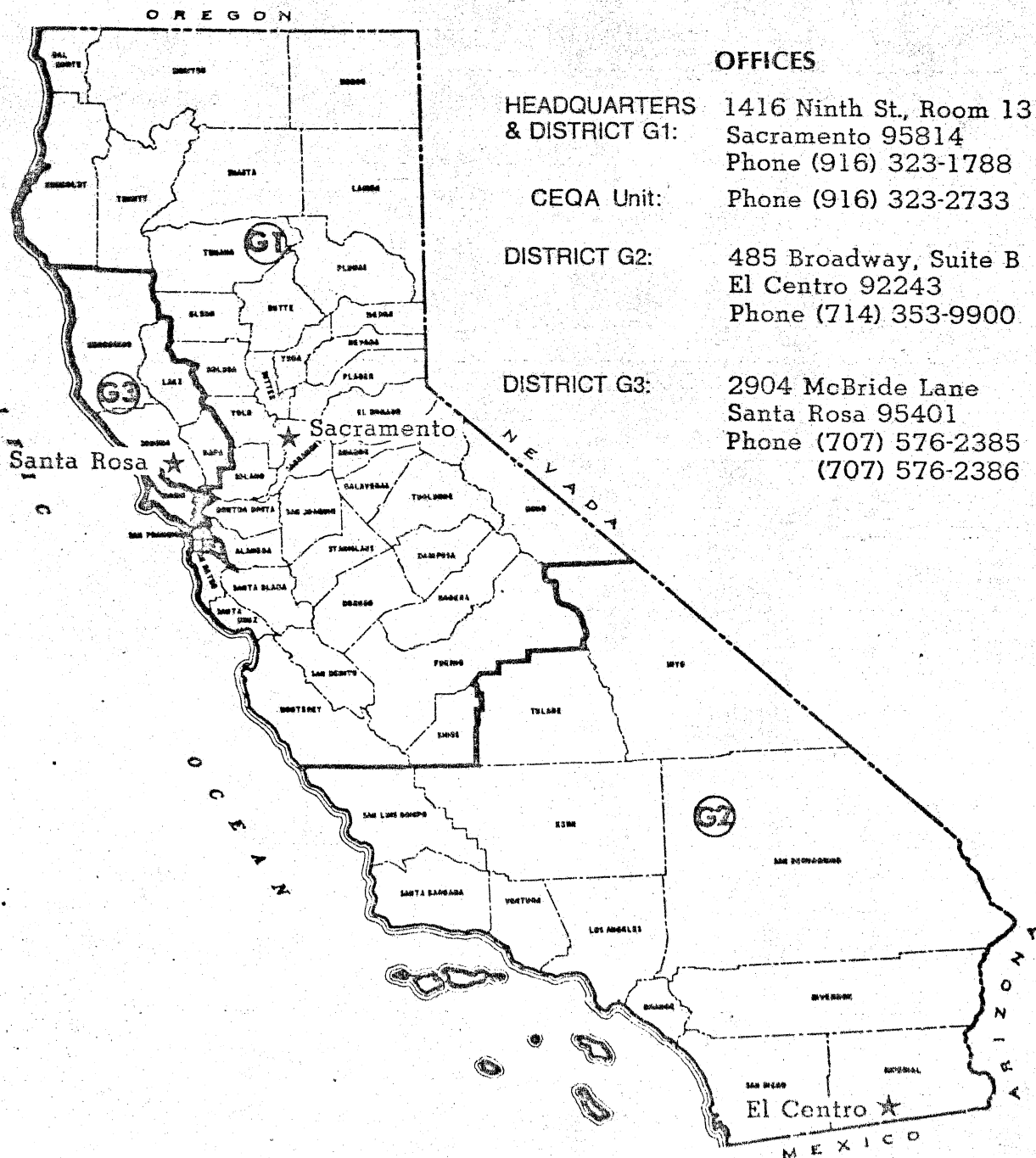
OIL AND GAS DISTRICTS of the CALIFORNIA DIVISION OF OIL & GAS

OFFICES

- Headquarters: 1416 9th Street, Rm. 1310, Sacramento 95814
Phone: (916) 445-9686
- District No. 1: 5199 E. Pacific Coast Hwy., Suite 309-N, Long Beach 90804
Phone: (213) 590-5311
- District No. 2: 146 S. Ojai Street, P.O. Box 67, Santa Paula 93060
Phone: (805) 525-2105
- District No. 3: 301 W. Church Street, P.O. Box 227, Santa Maria 93454
Phone: (805) 925-2686
- District No. 4: 4800 Stockdale Hwy., Suite 417, Bakersfield 93309
Phone: (805) 322-4031
- District No. 5: 466 N. Fifth Street, P.O. Box 616, Coalinga 93210
Phone: (209) 935-2941
- District No. 6: 117 W. Main Street, Suite 11, Woodland 95695
Phone: (916) 662-4683



GEOTHERMAL DISTRICTS of the CALIFORNIA DIVISION OF OIL & GAS



OFFICES

HEADQUARTERS & DISTRICT G1: 1416 Ninth St., Room 1310
Sacramento 95814
Phone (916) 323-1788

CEQA Unit: Phone (916) 323-2733

DISTRICT G2: 485 Broadway, Suite B
El Centro 92243
Phone (714) 353-9900

DISTRICT G3: 2904 McBride Lane
Santa Rosa 95401
Phone (707) 576-2385
(707) 576-2386

STATE WATER RESOURCES CONTROL BOARD

P. O. Box 100, Sacramento, CA 95801

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS

NORTH COAST REGION (1)

1000 Coddington Center
Santa Rosa, California 95401
(707) 545-2620

SAN FRANCISCO BAY REGION (2)

1111 Jackson Street, Room 6040
Oakland, California 94607
(415) 464-1255

CENTRAL COAST REGION (3)

1122-A Laurel Lane
San Luis Obispo, California 93401
(805) 549-3147

LOS ANGELES REGION (4)

107 South Broadway, Room 4027
Los Angeles, California 90012
(213) 620-4460

CENTRAL VALLEY REGION (5)

3201 S Street
Sacramento, California 95816
(916) 445-0270

Fresno Branch Office
3374 East Shields Avenue
Fresno, California 93726
(209) 488-5116

Bill Pfister
(842)-5116

Redding Branch Office
1815 Sacramento Street
Redding, California 96001
(916) 442-6376

LAHONTAN REGION (6)

2092 Lake Tahoe Boulevard
P. O. Box 14367
South Lake Tahoe, California 95702
(916) 544-3481

Victorville Branch Office
15371 Bonanza Road
Victorville, California 92392
(714) 245-6585

COLORADO RIVER BASIN REGION (7)

73-271 Highway 111, Suite 21
Palm Desert, California 92260
(714) 346-7491

SANTA ANA REGION (8)

6833 Indiana Avenue, Suite 1
Riverside, California 92506
(714) 684-9330

SAN DIEGO REGION (9)

6154 Mission Gorge Road, Suite 205
San Diego, California 92120
(714) 286-5114

